

**REMARKS****BEST AVAILABLE COPY**

Claims 1-11 are now pending in the application. A telephonic interview was conducted on July 10, 2003 between Examiner Cygan and Donald Wallace, wherein claims 1 and 6 were discussed with respect to the Williams '921 patent. In light of that discussion, claims 1 and 6 have been amended to more clearly define the flange engaged by the locking mechanism according to the invention, and to place the claims in better form for consideration on appeal. The Examiner is respectfully requested to reconsider the claims and withdraw the rejections in view of the foregoing amendments and the remarks contained herein.

**REJECTION UNDER 35 U.S.C. § 102**

Claims 1-11 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Williams (U.S. Patent No. 4,035,921). This rejection is respectfully traversed.

It is well established that for a claim to be anticipated by a prior art reference, that reference must contain each and every element of the claim. Williams discloses a lockable spout closure assembly that includes an elastomeric stopper that is axially compressible by a locking mechanism so that it expands radially to grip an inner surface of a spout. Williams does not disclose that the tube for receiving the indicator rod has a radially outwardly projecting flange as required by independent claims 1 and 6, as amended.

Because Williams does not disclose each and every element of independent claims 1 and 6 as amended, these claims are not anticipated by Williams. Withdrawal

of the rejection of claims 1 and 6, and of claims 2-5 and 7-11, which depend from claims 1 and 6, and reconsideration and reexamination of the claims, is respectfully requested.

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### CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 944-6522.

Respectfully submitted,

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